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October 18, 2019

Honorable Freda L. Wolfson, U.S.D.J.
United States District Court
Clarkson S. Fisher Building & US Courthouse
402 East State Street
Trenton, NJ 08608

**Re: *In Re: Johnson & Johnson Talcum Powder Products Marketing,
Sales Practices and Products Liability Litigation (MDL No. 2738)***

Dear Judge Wolfson:

In a press release issued today, Johnson & Johnson acknowledged that Johnson's Baby Powder tested positive for asbestos and a voluntary recall was initiated. (*See Exhibit A*). Other statements by Johnson & Johnson published in the media report that the recall involves 33,000 bottles of the product. The FDA commissioned independent testing of Johnson's Baby Powder and confirmed the presence of chrysotile asbestos in Lot #22318RB. The source of the talc in the recalled lot is the same that Johnson & Johnson has used for all its talcum powder products since 2003.

The PSC writes to bring this development to the Court's attention and to inform the Court of its efforts to obtain additional information. The PSC has filed a Freedom of Information Act (FOIA) request with the U.S. Food and Drug Administration to obtain documents regarding the third-party lab that performed the testing, the test results, the testing procedures, and any communications regarding the lot that tested positive. The PSC has also requested that Johnson & Johnson Defendants, as a part of their ongoing duty to supplement pending discovery requests, provide within seven days documents, data and information regarding the same.

The PSC is making every effort to obtain this information on an expedited basis. Following receipt of the requested documents and data, the PSC requests the

Hon. Freda L. Wolfson, U.S.D.J.

October 18, 2019

Page 2

opportunity to supplement its briefing and provide the relevant evidence to the Court for consideration when addressing the pending *Daubert* motions.

Thank you for your consideration of these matters. Should the Court have any questions, the PSC stands ready to respond in any way that might assist the Court.

Very truly yours,

/s/ P. Leigh O'Dell
P. Leigh O'Dell

/s/ Michelle A. Parfitt
Michelle A. Parfitt

cc: Susan Sharko, Esq. (via email without enclosure)
John Beisner, Esq. via email without enclosure)
Tom Locke, Esq. (via email without enclosure)
The Plaintiffs' Steering Committee (via email without enclosure)